

**Amendment to the Drawings:**

Please amend Fig. 2 as follows. Attached is a replacement sheet for Figure 2 including the changes.

Attachment: Fig. 2

## REMARKS

The Applicants have filed the present Response in reply to the outstanding Official Action of November 16, 2004, and the Applicants believe the Response to be fully responsive to the Official Action for reasons set forth below in greater detail.

At the onset, the Applicants would like to note that Claims 1, 8 and 15 have been amended to clarify either how the signals are ignored or to clarify the protection circuit. Specifically, Claim 1 has been amended to recite, *inter alia*, the step of “ignoring signals by masking the signals from one of the two subsystems to the other for a predetermined time period from the recognizing step.” Additionally, Claim 8 has been amended to recite, in part, a protection circuit for ignoring signals by masking signals sent from another subsystem for a predetermined time period after the physical layer interface circuit recognizes physical connection with another subsystem. A similar amendment was made to Claim 15.

Additionally, Claims 9 and 16 have been amended to clarify the order of the functional recitations. Specifically, first, the physical layer interface circuit recognizes physical connection with the other subsystem, then the predetermined time period passes and then the subsystem sends constant signals to another subsystem. Claim 9 now recites, *inter alia*, that the physical layer interface circuit recognizes physical connection with the other subsystem, and the subsystem sends constant signals to another subsystem after the predetermined time period has passed. A similar amendment was made to Claim 16.

Further, Claim 2 has been amended that recite that each one of the two subsystems sends constant signals to the other subsystem after the ignoring step.

No new matter has been added by the aforementioned amendments. The Applicants invite the Examiner to review Figure 2, and pages 9-12.

Additionally, the Applicants would like to note that page 1 of the specification has been amended herewith to define the acronym “LSI”, LSI standing for **large-scale integration**. Furthermore, Figure 2 has been amended as required by the Examiner in paragraph 2 of the outstanding Official Action for consistency with the specification. Specifically, the Examiner noted that in Figure 2 the header signal and transmission rate information was not labeled as “A” and “C” as they were referenced in the specification.

Accordingly, attached is replacement sheet illustrating the changes to Figure 2.

In the outstanding Official Action, the Examiner rejected Claims 1, 8 and 15 under 35 U.S.C. § 102(a) as being anticipated by IEEE Standard 1394a-2000. (hereinafter “IEEE”). Applicants respectfully disagree with this rejection and traverse with at least the following analysis.

The publication date of the IEEE reference is June 30, 2000. This publication was an update of the IEEE Standard 1394a-1995. However, the publication included new material not included in the original IEEE Standard. Specifically, subclause 3.9.1 was an added feature not

included in the original IEEE Standard. See IEEE, page 15 (Insert the following subclause after 3.8. Section 3.9 was a new feature of the 2000 standard. Therefore, the solution to the problem of contact scrape was not included in the original standard. Accordingly, the Examiner's §102(a) rejection is not proper.

The Examiner also rejected Claims 1-5, 8-12 and 15-19 under 35 U.S.C. § 103(a) as being unpatentable over Applicants' admitted prior art (hereinafter "APA") in view of Luddy (U.S. Patent No 5,953,346). The Examiner avers that Luddy discloses the limitation of ignoring signals from one of the two subsystems for a predetermined time period. The Examiner further contends that the APA teaches all of the other claim limitations for Claim 1 and that it would have been obvious to combine the teaching of Luddy with the teaching of the APA for the benefit of providing a reliable communication in the absence of precise synchronization. The Examiner alleged that the motivation is disclosed in Luddy at column 2 lines 8-10 as for providing a system that reliably transports encoded data when precise synchronization does not exist.

Luddy teaches that data transmission is prevented until the communication path has been established at the desired communication rate. The system selectively suppresses the confirmation tone that a receiving node sends to an origination mode. The delay is done to obviate tone misinterpretation and to prevent the resulting erroneous operation.

However, while Luddy teaches a delay in data transmission until the desired communication rate is established, Luddy does not teach "ignoring signals" as specifically

claimed. Upon receipt of the data signal, the terminating node detects the calling tone (step 206) and prepares to send a data communication. The terminating node 44 subsequently transmits the answering tone. The communication system receives the answering tone from the terminating node. However the system does not forward the answering tone to the originating node until the switch is complete. Clearly, the terminating node of Luddy does not “ignore” the signal and in fact acknowledges the signal to the communication system.

In contrast, the protection circuit masks the received signal in order to block the receiving signals and thus ignores the signal. The APA fails to remove this deficiency. Therefore, the hypothetically combined APA/Luddy apparatus fails to teach, suggest or render obvious each and every limitation of the claims. Accordingly, independent Claims 1, 8 and 15 are patentably distinct from the cited references.

With regard to Claims 2, 9, 16, it is not clear from the APA and Luddy that the combined teaching suggests that the subsystems or devices send constant signals to each other during the predetermined time period after the recognition of a connection. The Examiner avers that the APA discloses this limitation. However, since the APA fails to disclose ignoring a signal, the reference cannot teach sending constant signals to each other during the predetermined time period for which the subsystems are ignoring the transmitted signal. The Examiner identifies the first sentence of paragraph 2 on page 1 as this teaching. The Examiner appears to infer that the sentence indicates that the predetermined connection procedure is executed when the cable is connected which is prior to the ignoring step, and thus disclosing that the constant signals are

sent during the ignoring step. However, there is no suggestion or teaching that the “predetermined connection procedure occurs prior to the ignoring step”.

In fact, Luddy does not teach sending constant signals to each other during the predetermined time period for which the subsystems are ignoring the transmitted signal. See Figure 4. The terminating node does not send any signal to the originating node during the predetermined ignoring period. The system does not forward the answering tone to the originating node until the switch to the higher frequency is established.

In contrast, the subsystem 11 and 12 only produce the header signal and the transmission rate information during the predetermined time period. The time period depends on the construction of the communication systems and the noise caused by the connecting cable. Therefore, Claims 2, 9 and 16 are patentably distinct from the cited references.

Claims 3-5, 10-12 and 17-19 would be patentable based upon their dependency from Claims 1, 8 and 15, as amended and in view of the above-identified deficiencies.

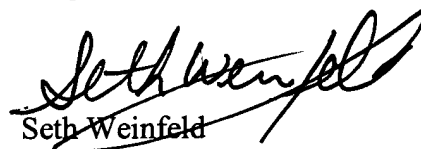
The Examiner rejected Claims 6-7, 13-14 and 20-21 under 35 U.S.C § 103(a) as being unpatentable over the APA, in view of Luddy and in further view of the article entitled NEC looks to lead long-haul 1394 standards effects authored by Hara. Hara discloses a physical layer chip that has three operating modes for plastic optical fibers.

Claims 6-7, 13-14 and 20-21 are patentably distinct from the cited prior art references for at least the same reasons are identified above. Hara does not remove any of the above-noted deficiencies.

For all the foregoing reasons, the Applicants respectfully request the Examiner to withdraw the rejections of independent Claims 1, 8, 15 pursuant to 35 U.S.C. § 102(a). Further, Applicants also respectfully request the Examiner to withdraw the rejections of Claims 1-21 under 35 U.S.C. § 103(a). Additionally, Applicants respectfully request the Examiner to withdraw the objections to the Figures and specification.

In conclusion, the Applicant believes that the above-identified application is in condition for allowance and henceforth respectfully solicits the Examiner to allow the application. If the Examiner believes a telephone conference might expedite the allowance of this application, the Applicant respectfully requests that the Examiner call the undersigned, Applicant's attorney, at the following telephone number: (516) 742-4343.

Respectfully submitted,

  
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